

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:05CV258-1-MU

EDGAR LEON APPLEWHITE,

Plaintiff,

v.

DEPARTMENT OF TRANSPORTATION,

et al.,

Defendants.

ORDER

THIS MATTER comes before the Court upon Plaintiff's Motion for Discovery, filed March 17, 2006.

On October 6, 2005, Plaintiff filed a Complaint pursuant to 42 U.S.C. § 1983. On October 11, 2005, this Court dismissed Plaintiff's Complaint without prejudice because he had failed to exhaust his administrative remedies prior to filing his Complaint. Plaintiff has now filed a Motion for Discovery. Plaintiff's case is closed and his motion is therefore moot.

IT IS THEREFORE ORDERED THAT Plaintiff's Motion for Discovery is **DENIED**.

Signed: March 27, 2006



Graham C. Mullen
United States District Judge

